

**NOTICE OF RULE MAKING
SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

RULE CHAPTER TITLE:
Miscellaneous Provisions

RULE CHAPTER NO.
40E-7

RULE TITLE:
Scope and Applicability

RULE NUMBER:
40E-7, Part V

PURPOSE AND EFFECT: This rule making concerns proposed revisions to the document entitled, "Public Use Guide for Designated Land Management Areas" (PUG). The proposed revisions provide that lands acquired by the District under the Save Our Rivers and Preservation 2000 programs are made available to the public for recreational use and enjoyment, while protecting natural resources and ecosystems. Regulations concerning the use of certain existing management areas are to be amended and new management areas are to be added, and others may be deleted.

SUMMARY: Changes to the rule and PUG may be considered based upon the Rule Making process, including public input and additional staff analysis.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: **No statement of estimated regulatory cost has been prepared.** Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 279.101, 373.044, 373.113, 373.171, F.S.

LAW IMPLEMENTED 259.101, 373.016, 373.056, 373.103, 373.59, F.S. History New--5-24-94

A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: November 14, 2002 at 9:00 a.m.

PLACE: South Florida Water Management District Headquarters, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE MAKING IS: Fred Davis, South Florida Water Management District, Post Office Box 24680, Mail Stop Code 5720, West Palm Beach, FL 33416-4680, telephone 1-800-432-2045, extension 6636, or (561) 682-6636 (*internet: fdavis@sfwmd.gov*). Although Governing Board meetings, hearings, and workshop are normally recorded, affected person are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities who need assistance may contact the District Clerk, at (561) 686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

NAME OF PERSON ORIGINATING THE PROPOSED RULE:	Fred Davis
NAME OF SUPERVISOR OR PERSON WHO APPROVE RULE:	Tom McCracken
DATE PROPOSED RULE APPROVED:	September 12, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT:	
PUBLISHED IN FAW:	May 3, 2002

Rules of the South Florida Water Management District

PUBLIC USE GUIDE **Chapter 40E-7, F.A.C.** **PART V**



Last Updated: October 2002 ~~September 14, 2000~~

Effective Date: November 2002 ~~January 1, 2001~~

Rules of the South Florida Water Management District
CHAPTER 40E-7, Part V
PUBLIC ACCESS USE GUIDE

PART V

- 40E-7.511 Policy and Purpose**
- 40E-7.520 Scope and Applicability**
- 40E-7.521 Definitions**
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- 40E-7.526 Equestrian Activities; Use of Saddle Animals**
- 40E-7.527 Hunting; Possession and Use of Firearms**
- 40E-7.529 Overnight Camping**
- 40E-7.532 Operating Hours**
- 40E-7.534 Special Use Licenses**
- 40E-7.537 General Prohibitions**
- 40E-7.538 Establishment of South Florida Water Management District Management Areas Open to the Public**
- 40E-7.539 Penalties**

40E-7.511 Policy and Purpose.

The purpose of the rule in this part is to further implement the legislative intent expressed in Sections 259.101, 373.016(2)(h), 373.1391, 373.1395, and 373.59(11), F.S., and District Land Management Policy 5.001, and therefore, to establish regulations governing public access to certain District lands and use of said lands for ~~outdoor-general public~~ recreational and allied purposes. It is the intent of these regulations to protect the water resources, native plant communities, fish and wildlife populations, and related natural ~~related-natural~~ features of these lands together with any cultural improvements thereon.

Nothing contained in these regulations shall be construed as an assurance by the District that said management areas are safe for any purpose, that the District has a duty of care toward any person entering said lands or that the District is responsible for any injuries or damage to persons or property caused by an act or omission of any person who enters said management areas, including invitees, licensees, trespassers or other persons.

Specific Authority 279.101, 373.044, 373.113, 373.171 F.S. Law Implemented 259.101, 373.016, 373.056, 373.103, 373.1391, 373.1395, 373.59, F.S. History-- New 5-24-94. Amended 9-10-98, Amended.

40E-7.520 Scope and Applicability.

(1) Everglades Water Conservation Areas One, Two and Three are exempt and will not be affected or governed by these rules.

(2) The general regulations contained herein are broad in scope and applicable to all management areas.

(3) The regulations are applicable to all persons entering upon, using, or visiting said management areas.

(4) A copy of the regulations contained herein shall be posted at entry points, activity areas, and recreation sites equipped with bulletin boards or otherwise made reasonably available to the public.

(5) The District shall publish and make available to the public, upon request, a "Public Use Guide for Designated Land Management Areas". The Public Use Guide will be considered by the Governing Board at a public meeting advertised in accordance with Chapter 120, F.S. Only rules adopted by the Governing Board shall be effective. Copies of the Public Use Guide are available during working hours from the District headquarters.

(6) Consistent with the environmental sensitivity of these areas and the purposes for which the lands were acquired, and all rights, privileges, and protections afforded by the provisions of Section 373.1395, F.S., all management areas (including park areas, other land areas, and water areas) are hereby deemed open and available to the public for outdoor general-public recreational purposes and access unless otherwise limited, restricted, or prohibited by special provision in this Rule, by specific provision included in the Governing Board's designated boundary change to an existing management area or the Governing Board's creation of a new management area, or as set forth in the Public Use Guide. Nothing in this rule shall prevent other federal, state, or local agencies, including but not limited to those with management contracts with the

District, from requiring compliance with their own rules, regulations, or laws to the fullest extent of their lawful authority.

(7) Any signage restricting the use of portions of the management areas (including District land areas, park areas, or water areas) shall only apply to the property or area set forth in or delineated by such signage and a presumption shall exist that all other portions of the management areas (including District lands, park areas and water areas) specifically identified are open and available for outdoor recreational purposes unless otherwise limited, restricted or prohibited by the Governing Board. This provision shall not be construed to impede enforcement of trespass statutes including but not limited to Chapter 810, F.S.

Specific Authority 373.044, 373.113 F.S. Law Implemented 373.016, 373.056, ~~373.139~~373.1391, 373.1395, 373.1401, 373.59 F.S. History--New 5-24-94, Amended 11-12-95, 1-7-97, 11-13-97, 9-10-98, Amended.

40E-7.521 Definitions.

When used in this part:

(1) "Activity area" means a zone within a management area designated for specific recreational activities.

~~(2)~~(4) "Access Entry" point means a designated location or boundary for public access to a management area.

~~(3)~~(2) "Allied purposes" means other related outdoor activities including, but not limited to, frogging, photography, painting, environmental education, and nature study.

(4) "Camping" means to use a vehicle, tent or shelter, or to arrange bedding or both with the intent to stay overnight.

~~(5)~~(3) "Designated road" means any road, path, lane, or trail officially designated by name or number for public vehicular travel.

~~(6)~~(5) "Outdoor General public recreational purposes" means natural resource based outdoor recreational activities including, but not limited to, fishing, hunting, horseback riding, bicycling, swimming, camping, hiking, canoeing, boating, airboating, diving, birding, sailing, and jogging, picnicking, pleasure driving, nature study, water skiing, motorcycling, and visiting historical, archaeological, scenic or scientific sites.

~~(7)~~(6) "Management area" means:

(a) Any Save Our Rivers land, other District land, or combination thereof, listed in the Public Use Guide and managed as a single and distinct unit for the purpose of restoring, preserving, and protecting the water and related environmental resources of said area, including regulating the public uses thereon; and

(b) Any such lands, acquired by the District since the most recent update of the Public Use Guide and designated by the Governing Board as a boundary change of contiguous lands to an existing management area, or by the creation of a new management area.

~~(8)~~(7) "Management Unit means a portion of any Save Our Rivers land or other District land within a management area that requires a specific public use regulation due to legal, cultural or environmental factors uniquely affecting the specific unit of land, but which is not applicable to the entire management area.

~~(9)~~(8) "Natural Resources" mean water, soils, flora, and fauna.

(10) "Primitive Camping" means no amenities are provided.

(11)~~(9)~~ "Public Use Guide" means the document updated and approved Bi-

annually by the Board which sets forth management areas, the general rules and regulations governing public use, and any special provisions applicable thereto, and shall also include periodic supplements as to those management area lands referenced in 40E-7.521(6)(b), above.

~~(12)(40)~~ "Recreation site" means an improved or unimproved site established to facilitate public use of a designated management area.

~~(13)(41)~~ "Recreational trail" means riding, hiking, canoeing, bicycling, or jogging trails for use by the public.

~~(12)~~ "Primitive Camping" means no amenities are provided.

~~(14)~~ "Saddle animal" means any animal used to transport a person or property.

Specific Authority 373.019, 373.044, 373.113, 373.171 F.S. Law Implemented 373.016, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.1391, 373.59 F.S. History--New 5-24-94, Amended, 9-10-98, Amended.

40E-7.523 Access to Management Areas; Closures.

(1) Access to management areas by the general public is only authorized at designated entry points. Designated entry points for specific management areas shall be set forth in the Public Use Guide, or by specific provisions included in the Governing Board's designated boundary change to an existing management area or the Governing Board's creation of a new management area or management unit.

(2) Management areas or portions of management areas shall be closed to public use under the following conditions:

(a) When necessary for public safety such as during wildfires or prescribed burns.

(b) When necessary during emergency conditions such as floods severe weather events, or wildfire danger for public safety and the protection of natural resources. Such closures shall require the approval of the Executive Director and concurrence of the Governing Board. In no event shall such closures exceed thirty (30) days duration absent reconsideration and approval by the Governing Board.

(c) When necessary, in the District's judgement, based upon available information at the time, on a temporary, seasonal or permanent basis to protect natural, historic or archaeological resources. Such closures, to the extent they exceed thirty (30) days, shall require advance public notice and approval by the Governing Board.

(d) When necessary for construction, operation or maintenance activities, such as the Kissimmee River restoration project.

(3) Temporary closures of management areas or portions of management areas will be posted at authorized points of entry to said areas.

Specific Authority 373.044, 373.113 F.S. Law Implemented 373.016, 373.119, ~~373.139~~, 373.1391, 373.59 F.S. History--New 5-24-94, Amended—1-01-01.

40E-7.525 Use of Vehicles, Airboats, and Aircraft; Navigational Restrictions.

(1) Vehicular travel within management areas is limited to the operation of vehicles licensed for highway use by licensed drivers on designated roads unless otherwise specified in the Public Use Guide.

(2) Management areas or portions of management areas open to off-road travel by licensed or unlicensed swamp buggies, tracked vehicles, and other types of

off-road or all terrain vehicles, shall be specified in the Public Use Guide.

(3) Under Section 316.192, F.S., driving a vehicle in willful and wanton disregard for the safety of persons or property is reckless driving. Pursuant to Section 316.1925, F.S., any persons who drive vehicles on management areas shall drive in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and all other attendant circumstances, so as not to endanger the life, limb or property of any person. Failure to drive in such a manner is punishable under Section 316.655, F.S.

(4) Motorized vehicle operators shall comply with posted speed limits on management area roads. If no speed limit is posted, the speed limit is 20 mph. Speed limits are not applicable to airboats and off-road vehicles, except when the latter are operated on management area roads.

(5) Bicycles, horse-drawn carriages and buggies are considered motorized vehicles for the purpose of this rule except that the operators of these conveyances are not required to possess a valid driver's license.

(6) ~~Saddle Horses and other saddle~~ animals are not considered to be vehicles for the purpose of this rule.

(7) Airboats may be operated in management area floodplains and littoral zones unless otherwise specified in the Public Use Guide.

(8) The take off or landing of either motorized or non-motorized conventional or model aircraft such as airplanes, helicopters, ultra lights, gliders, and hang gliders, on management units is prohibited unless otherwise specified in the Public Use Guide.

(9) Any restrictions to navigation established pursuant to state or federal law, applicable to management areas, shall be specified in the Public Use Guide and reasonably identified in the field by appropriate signs.

Specific Authority 373.044, 373.113 F.S. Law Implemented 316.192, 316.1925, 316.655, 373.016, ~~373.139~~, 373.1391, 373.59 F.S. History--New 5-24-94, Amended 9-10-98, Amended.

40E-7.526 Equestrian Activities; Use of Saddle Animals.

(1) Management areas open to equestrian activities and the use of saddle animals shall be specified in the Public Use Guide.

(2) Where authorized, the use of horses and other saddle animals shall be permitted on all designated roads, other roads, firebreaks, dikes, and ditch banks unless otherwise specified in the Public Use Guide.

(3) The use of ~~horses and other~~ saddle animals on designated hiking trails shall be prohibited.

(4) Saddle animals on District owned land must possess proof of negative Coggins test.

Specific Authority 373.044, 373.113 F.S. Law Implemented 316.192, 316.1925, 316.655, 373.016, ~~373.139~~, 373.1391, 373.59 F.S. History--New 5-24-94 Amended 9-10-98, Amended.

40E-7.527 Hunting; Possession and Use of Firearms.

(1) Consistent with Chapter 790, F.S., and other applicable provisions of local, state and federal law, such as the rules of the Florida Fish and Wildlife Conservation Commission and the United States Department of Interior, Fish and Wildlife Service, hunting, unlawful possession, discharge, and use of firearms, archery

equipment, trapping devices and the releasing of free-running hunting dogs are prohibited on management areas unless the land is opened as a public hunting area and these uses are authorized in the specific public hunting area regulations.

(2) Public hunting on management areas is administered by the Florida Fish and Wildlife Conservation Commission, or the U.S. Department of the Interior, Fish and Wildlife Service in cooperation with the District. If a ~~public hunting management~~ area is included in a ~~management public hunting~~ area, it shall be posted as prescribed by Chapter 810, F.S. Management areas currently established as public hunt areas are noticed in the Public Use Guide.

(3) Public hunting areas shall only be established on management areas with approval of the Board. Board approval shall be given at a public meeting, which shall be advertised as required by Chapter 120, F.S. The District may enter into management agreements with the entity to be responsible for managing the public hunting on the management area. Agreements between the District and the Florida Fish and Wildlife Conservation Commission or the United States Fish and Wildlife Service are considered to be authorizations to remove designated game species. The agreements will be available at the District headquarters for review by the public.

Specific Authority 373.044, 373.113 F.S. Law Implemented 373.016, ~~373.1391~~, 373.1401, 373.59, 790, 810.09, F.S. History--New 5-24-94, Amended 9-14-00, 1-01-01, ~~Amended~~.

40E-7.529 Overnight Camping.

(1) Overnight, primitive camping on management areas is permitted unless otherwise specified in the Public Use Guide.

(2) Any restrictions applicable to overnight camping shall be specified in the Public Use Guide.

(3) Designated campsites and amenities within specific management areas shall be specified in the Public Use Guide and reasonably identified in the field by appropriate signs or markers.

(4) Overnight camping ~~or the presence of camping equipment shall at all campgrounds will~~ be limited to five (5) ~~consecutive~~ days, unless authorized by Special Use License.

Specific Authority 373.044, 373.113 F.S. Law Implemented 373.016, ~~373.139~~, ~~373.1391~~, 373.59 F.S. History--New 5-24-94, Amended 11-13-97, 9-10-98, ~~Amended~~.

40E-7.532 Operating Hours.

Management areas shall be open to public use twenty-four (24) hours a day except during authorized closures as set forth in subsection 40E-7.523(2) above or unless otherwise specified in the Public Use Guide.

Specific Authority 373.044, 373.113 F.S. Law Implemented 373.016, 373.119, ~~373.139~~, ~~373.1391~~, 373.59 F.S. History--New 5-24-94.

40E-7.534 Special Use Licenses.

(1) A Special Use License, issued at no cost to the public, shall be required to engage in select activities on management areas identified by the Governing Board during the BI-annual update of the Public Use Guide, as set forth in subsection 40E-7.521(9), above, when determined necessary to protect the natural resources of said areas, prevent overuse of facilities, or to avoid conflicts between users. Management Areas with Special

Use License requirements, including the daily quota for each management area, shall be specified in the Public Use Guide.

(2) A Special Use Application and License shall be submitted to the District on Form #0830. Upon receipt of a properly completed Special Use Application and License Form #0830, the District's Division ~~Department~~ of Land Stewardship shall issue Special Use Licenses on a first come first served basis until the daily quota established by the District for that activity is reached.

(3) Special Use Licenses shall only be valid for the dates shown on the License and must be in the possession of the applicant while on the management area. If the applicant is a group, then the license must be in the possession of the designated group leader.

(4) Persons wishing to obtain a Special Use License, when required by the District, may apply in person, call, or write to request a copy of Special Use Application and License Form #0830 from the District at the following:

(a) Division of ~~Department of~~ Land Stewardship

South Florida Water Management District

Post Office Box 24680

3301 Gun Club Road

West Palm Beach, FL 33416-4680

Telephone: (516) 686-8800 or Florida WATS 1-800-432-2045, or

(b) From the applicable service center as set forth in the special provisions for the specific management area, or

(c) From the District's web site: www.sfwmd.gov

(5) In the event the daily quota has been reached, the District shall notify the Special Use License applicant that the District intends to deny the application, and the applicant may request further consideration by the Governing Board.

(6) The Executive Director, or his designee, shall revoke a Special Use License if the licensee violates any provisions of this Rule or the Special Use License.

(7) Special Use Licenses shall be issued by the District's Land Stewardship Department in accordance with the provisions of this section, for the purpose of providing mobility impaired persons the opportunity to use motorized vehicles to access portions of the management areas not otherwise open to motorized vehicles. Licenses for this purpose will be issued upon request, including proof of mobility impairment, as long as the requested use will not adversely impact the resource, impair the safety and welfare of the user, interfere with the reasonable use by others, or result in substantial financial obligations by the District to accommodate the user. Mobility impaired hunting permits shall be issued by the Florida Fish and Wildlife Conservation Commission.

(8) Any person prohibited from entering onto District land by a court order shall not be eligible to apply for a Special Use License, during the prohibition period.

Specific Authority 373.044, 373.113 F.S. Law Implemented 373.016, ~~373.139~~, 373.1391, 373.59 F.S. History--New 5-24-94, Amended 9-10-98, 1-01-01, Amended.

40E-7.537 General Prohibitions.

The following shall be prohibited on all management areas:

(1) Parking a motor vehicle in an unauthorized location or in a manner blocking roads, levees, maintenance berms, gates, or water control structures.

- (2) Discharging firecrackers, rockets, or any other fireworks.
- (3) Pets, other than leashed dogs and service animals under the control of the owner. This prohibition does not apply to hunting dogs utilized in conjunction with an approved hunting program where the use of dogs is permitted.
- (4) Destroying, defacing, or removing any natural feature or native plant, including the felling falling of dead trees.
- (5) Destroying, injuring, defacing, removing, or disturbing in any manner any public building, tower, recorder, gage, sign, gate, fence, equipment, monument, marker, or other structure or improvement.
- (6) Destroying or damaging scientific study plots, photo points, transect lines, or survey markers.
- (7) Trespassing on, operating, or interfering with the operation of water control structures.
- (8) Discharging or disposing of oil, gasoline, or other chemicals and wastes.
- (9) Servicing or maintaining vehicles and equipment except when in conjunction with authorized recreational activities and allied purposes.
- (10) Disposing of any garbage, including paper, cans, bottles, waste materials, and rubbish other than in containers provided for such disposition.
- (11) Draining or dumping refuse or waste from any travel trailer, camper, mobile home or recreation vehicle other than in places or receptacles designated for such use.
- (12) Cleaning fish, game, or food at potable watering stations or in rest rooms, or washing clothing or articles of household use at such facilities.
- (13) Using refuse containers or other refuse facilities for disposal of household or commercial garbage or trash.
- (14) Installing, erecting, or maintaining any unauthorized camp, building, structure, or sign.
- (15) Building a fire other than in an authorized campsite or picnic area or outside of grills, fireplaces, or fire rings provided by the District or other authorized management agency for such purpose. This prohibition does not apply to portable campstoves or grills provided by the user.
- (16) Selling or offering for sale any merchandise without the prior written consent of the District's Governing Board. Requests to the District for consent shall be made in writing, directed to the Land Stewardship Division - Land Management Department, and shall be submitted not less than 28 days prior to the regularly scheduled Governing Board Meeting for consideration. Consideration to such consent shall be given at a regularly scheduled meeting of the District's Governing Board. Although the Board's analysis of requests to sell merchandise within a management area is primarily site specific in nature, consideration shall be given to such factors as: immediate and potential impact on the environment, immediate and potential impact on members of the public using the management area, the size of the management area in relation to the area impacted by the proposed sale, and overall benefits to the public.
- (17) Operating bicycles on trails closed to such use.
- (18) Erecting or maintaining tree stands on District lands more than 10 days before or more than 10 days after any authorized hunting season.

Specific Authority 373.044, 373.113 F.S. Law Implemented 373.016, 373.139, 373.1391, 373.59 F.S. History--New 5-24-94, Amended 9-10-98, Amended.

40E-7.538 Establishment of South Florida Water Management District Management Areas Open to the Public.

The South Florida Water Management District does hereby establish the following areas as Management Areas that are open to the public for outdoor recreational purposes under the General and Specific Rules of the District, located in Chapter 40E-7, F.A.C., and under Rules and Ordinances of cooperating management entities.

(1) Tibet Butler Management Area located in Orange County

(a) Public use of the management area is governed primarily by Regulations of the Orange County Parks and Recreation Department and Orange County Ordinance.

(b) District Public Use Rules are supplemental to Regulations of the Orange County Parks and Recreation Department and Orange County Ordinance.

(2) Shingle Creek Management Area located in Osceola and Orange Counties.

(a) Persons may enter the management area at designated access points.

(b) The use and possession of a bicycle is permitted only when in the possession of a Special Use License.

(c) Hunting is prohibited.

(d) Camping is prohibited.

(e) Airboating is prohibited.

(f) The use and possession of a saddle animal is prohibited.

(3)(2) Lake Marion Creek Management Area located in Osceola and Polk Counties.

(a) Certain pPublic uses of the management area are is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.

(b) District Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

(c) Persons may enter the management area on foot at designated access points off County Road 580, Horseshoe Creek Road, Lake Marion Creek Road and at Baltic Adair Court. Motorized vehicle access is allowed via Huckleberry Island Road, during the established hunting season.

(d) The use or possession of a bicycle Bicycling is permitted only when in the possession of a Special Use License.

(e) Overnight camping at designated campsites is permitted, during non-hunting season, only when in the possession of a Special Use License.

(f) Airboating is prohibited

(g) The use or possession of a saddle animal Horseback riding is prohibited.

(4)(3) Lake Walk-In-Water Management Area located in Polk County

(a) Public use of the management area is governed primarily by Polk County Ordinance.

(b) The District's Public Use Rules are supplemental to Polk County Ordinance.

~~(5)~~(4) Lower Reedy Creek Management Area located in Osceola and Polk Counties

(a) Lake Russell Management Unit

1. Public use of the management area is governed primarily by Rules of the Osceola County School Board and Osceola County Ordinance.

2. District Public Use Rules are supplemental to Rules of the Osceola County School Board and Osceola County Ordinance.

~~3. Camping is permitted only when in the possession of a Special Use License.~~

3. Airboating is prohibited.

4. Hunting is prohibited

5. Vehicular travel is permitted only on the entrance roadway, or as authorized by Special Use License.

(b) Rough Island North and South and Johnson Island Units

1. Hunting is prohibited beyond the restricted area signs. ~~blue District Management Area signs.~~

2. Airboating is prohibited beyond the restricted area signs. ~~blue District Management Area signs.~~

3. Foot travel only is permitted beyond the restricted area signs. ~~blue District Management Area signs.~~

4. The use or occupancy of existing buildings, structures, and related improvements is prohibited unless designated as a public use facility.

5. The use and possession of a saddle animal ~~Horseback riding~~ is permitted only when in the possession of a Special Use License.

6. Notwithstanding provisions ~~li~~ through ~~IViv~~ above, all public access is prohibited within the posted closed protection zone areas generally located above the divergence of Reedy Creek and the Dead River. ~~Public access to Rough Island North is permitted from August 15 to February 15 only between the hours of 6:00 a.m. to 9:00 p.m. Users of this area must be in possession of a Special Use License, which can be obtained from the District's Orlando Service Center at 1-800-250-4250 (see 40E-7.534 of the General Rules and Regulations). A quota of fifty (50) annual licenses has been established by the District for public access to Rough Island North.~~

7. Seasonal public access to the Rough Island North limited access area is permitted from August 16 to February 14 only between the hours of 6:00 a.m. to 9:00 p.m., via the airboat gate. Users of this area must be in possession of a Special Use License. A quota of fifty (50) annual licenses has been established for this area. Annual licenses are available after June 1st of each year.

~~(6)~~(5) Upper Reedy Creek Management Area

(a) Intercession City Management Unit

1. Persons may enter the management unit on foot at the designated access point on Wile Avenue.

~~2.~~ 4. Hunting is prohibited

~~3.~~ 2. Airboating is prohibited.

~~4.~~ 3. Overnight camping is prohibited.

5. 4. The use or possession of a saddle animal ~~Horseback riding~~ is prohibited.

~~6.5.~~ The use or possession of a bicycle ~~Bicycling~~ is prohibited.

(b) Poinciana Management Unit

1. Persons may enter the management unit on foot at the designated access point on Burnly Court. Public use of the management area is governed primarily by Rules of the Osceola County School Board and Osceola County Ordinance.

~~2. District Public Use Rules are supplemental to Rules of the Osceola County School Board and Osceola County Ordinance.~~

~~2.~~ 3. Hunting is prohibited.

~~3.~~ 4. Airboating is prohibited.

~~4.~~ 5. Overnight camping is prohibited.

~~5.~~ 6. The use or possession of a saddle animal ~~Horseback riding~~ is prohibited.

~~6.~~ 7. The use or possession of a bicycle ~~Bicycling~~ is prohibited.

(c) Reedy Creek Unit

1. Persons may enter the management unit on foot at the designated access point on Poinciana Boulevard.

2. Hunting is prohibited.

3. Airboating is prohibited.

4. Overnight camping is prohibited.

5. The use or possession of a saddle animal is prohibited.

6. The use or possession of a bicycle is prohibited.

~~(7)(6)~~ Catfish Creek Management Area located in Polk County

(a) Persons ~~shall may~~ enter and exit the management area from Lake Hatchineha.

(b) Hunting is permitted and regulated by state law and regulations of the Florida Fish and Wildlife Conservation Commission.

(c) Airboating is prohibited only within upland hammock areas and is regulated by state law and Polk County ordinance.

(d) The use or possession of a saddle animal is prohibited. ~~Horseback riding is allowed when in the possession of a Special Use License.~~

(e) The use or possession of a bicycle is prohibited.

(f) Motorized vehicles other than airboats are prohibited.

~~(8)(7)~~ Lake Kissimmee Management Area located in Osceola and Polk Counties

(a) ~~Hunting:~~ Persons may enter the management area from Lake Cypress, Lake Hatchineha, Lake Kissimmee, Canal 36 and from Thomas Landing Road.

~~1. Is prohibited in Ike Hammock and from improved roadways in the Gardner-Cobb Marsh Unit.~~

~~2. Is prohibited in the Drasdo and Lightsey Units beyond the blue District Management Area signs.~~

(b) Airboating: is prohibited beyond the restricted area signs, and

~~1. Is prohibited~~ on or across improved roadways or within hammock areas, except that airboats may cross the main grade at the designated crossing points, in the Gardner Cobb Marsh Unit.

~~2. Is prohibited in the Drasdo and Lightsey Units beyond the blue District Management Areas signs.~~

(c) The use or possession of a saddle animal ~~Horseback riding~~ is allowed when in the possession of a Special Use License.

(d) Motorized vehicles other than airboats are prohibited.

(e) The use or possession of a bicycle ~~Bicycling~~ is ~~authorized permitted~~ only when in possession of a Special Use License. ~~in the management area.~~

(f) The use or occupancy of existing buildings, structures, and related improvements is prohibited unless designated as a public use facility.

~~(9)(8)~~ Lower Kissimmee River Management Area located in Polk, Osceola, Highlands, Glades, and Okeechobee Counties.

(a) KICCO Management Unit

1. Public use of the management area is governed primarily by Wildlife Management Area Type I Regulations of the Florida Fish and Wildlife Conservation Commission.

2. District Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

3. Persons may enter the management area from the Kissimmee River and from designated public access points at public roadways.

4. Overnight camping is permitted at designated campsites only when in the possession of a Special Use License or a Quota Hunt Permit.

5. Motorized vehicles are prohibited except as authorized by the District and/or the Florida Fish and Wildlife Conservation Commission during Public Hunts.

6. The use or possession of a bicycle is permitted on the main shellrock road.

7. The use or possession of a saddle animal is allowed when in possession of a Special Use License.

8. Airboating is prohibited.

(b) Hickory Hammock Management Unit

1. Public use of the management area is governed primarily by Wildlife Management Area Type I Regulations of the Florida Fish and Wildlife Conservation Commission.

2. District Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

3. Persons may enter the management area from the Kissimmee River and from designated public access points at public roadways.

4. Airboating is prohibited within posted safety zones and beyond the restricted area ~~blue District Management Area~~ signs.

5. Camping is permitted only at designated campsites when in the possession of a Special Use License or a Quota Hunt Permit.

6. Motorized vehicles are prohibited except on named and numbered roads or as authorized by the District and/or the Florida Fish and Wildlife Conservation Commission during Special Opportunity hunts.

7. The use or possession of a bicycle is permitted when in possession of a Special Use License.

8. The use or possession of a saddle animal is permitted when in possession of a Special Use License.

(c) Pool A-East, Pool C, Pool D, Pool E, and Paradise Run Management Units

1. Public use of the management area is governed primarily by Public Use Area Regulations of the Florida Fish and Wildlife Conservation Commission.

2. District Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

3. Persons may enter the management area from the Kissimmee River and from designated public access points at public roadways.

4. Hunting is prohibited within posted safety zones.

5. Hunting is permitted only within areas established as Wildlife Management Areas or Public Use Areas by the Florida Fish and Wildlife Conservation Commission.

6. 5- Airboating is prohibited within posted safety zones and beyond the restricted area ~~blue District Management Area~~ signs.

7. 6- Camping is permitted only at in designated camp sites ing when in possession of a Special Use License. ~~areas from February 1 through August 31 of each year.~~

8. 7- The use and possession of a saddle animal ~~Horseback riding~~ is permitted only when in the possession of a Special Use License.

9. 8- Bicycling is permitted only when in the possession of a Special Use License.

10. 9 Motorized vehicles other than airboats are prohibited except on named and numbered roads as authorized by the District and/or the Florida Game & Fresh Water Fish Commission during Special Opportunity hunts.

11. 10 The use or occupancy of existing buildings, structures, and related improvements is prohibited unless designated as a public use facility.

(10) (9) Kissimmee Prairie Ecosystem Management Area located in Okeechobee County.

(a) Public use of the management area is governed by Regulations of the Florida Department of Environmental Protection.

(b) District Public Use Rules are supplemental to Regulations of the Florida Department of Environmental Protection.

(11) (10) Atlantic Ridge Management Area ~~South Fork St. Lucie River Management Area located in Martin County~~

(a) Public use of this area is governed by Regulations of the Department of Environmental Protection, Division of Recreation and Parks. ~~Persons may enter the management area on foot from the South Fork of the St. Lucie River.~~

(b) District ~~P~~ublic Use Rules are supplemental to Regulations of the Department of Environmental Protection. Overnight camping at the canoe landing is permitted when in the possession of a Special Use License.

~~(c)Hunting is prohibited.~~

~~(d)Horseback riding is prohibited.~~

~~(e)Airboating is prohibited.~~

~~(f)The use of motorized vehicles is prohibited.~~

~~(12)(11)~~ Loxahatchee River Management Area located in Palm Beach and Martin Counties.

(a) Northwest Fork Management Unit

1. Public use of the management area is governed by Regulations of the Florida Department of Environmental Protection for Jonathan Dickinson State Park.

2. District Public Use Rules are supplemental to Regulations of the Florida Department of Environmental Protection.

~~3.Hunting is prohibited.~~

~~4.Horseback riding is prohibited.~~

~~5.Airboating is prohibited.~~

~~6.The use of motorized vehicles is prohibited.~~

~~7.Bicycling is prohibited.~~

~~8.Overnight camping is prohibited.~~

(b) Riverbend Management Unit

1. Public use of the management area is governed ~~primarily~~ by Regulations of the Palm Beach County Parks and Recreation Department and Palm Beach County Ordinance.

2. District Public Use Rules are supplemental to Regulations of the Palm Beach County Parks and Recreation Department and Palm Beach County Ordinance.

~~(13)(12)~~ Hungryland Slough Wildlife Management Area West Jupiter Wetlands Management Area located in Martin and Palm Beach Counties

(a) Public use of this management area is governed by Regulations of the Florida Fish and Wildlife Conservation Commission. Persons may enter the management area on foot at the designated access point off state road 706 (Indiantown Road).

(b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

~~(c)The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.~~

~~(d)Airboating is prohibited.~~

~~(e)Hunting is prohibited.~~

~~(f)Horseback riding is prohibited.~~

~~(g)Camping is allowed only on the rim of the spoil bank on the south side of the canal.~~

~~(h)Swimming, bathing and boating are prohibited in the canals.~~

~~(i)Canoeing is allowed only in the interior ponds.~~

~~(14)~~(13) DuPuis Management Area located in Martin and Palm Beach Counties

- (a) ~~Certain~~ Public uses of the management area ~~are is~~ governed ~~primarily~~ by Regulations of the Florida Fish and Wildlife Conservation Commission.
- (b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.
- (c) The use or possession of saddle animals is restricted to the equestrian center, designated equestrian trails, and named or numbered roads.
- (d) Use of the Dupuis Management Area is restricted during hunting periods authorized by the Florida Fish and Wildlife Conservation Commission. ~~Call ahead for current conditions and information on special events.~~
- (e) Airboating is prohibited.
- (f) Frogging is prohibited.
- (g) Motorized vehicles, horse buggies and bicycles are allowed on named and numbered roads and designated parking areas only.
- (h) The use of off road vehicles is restricted to the designated disabled hunt in accordance with Commission Regulations.
- (i) User registration is required to enter and use the DuPuis Management Area. Self-serve registration stations are located at the designated entry points; gates 1, 2, and 3.
- (j) No dogs are allowed on DuPuis except as authorized by the Florida Fish and Wildlife Conservation Commission.
- (k) Camping at the family campsite:
 1. Is only allowed at designated campsites.
 2. Only tent camping or tent popup camping is allowed.
 3. A maximum of 8 people and in 2 vehicles are allowed per campsite.
 4. Generators are not allowed.
- (l) ~~The use of the~~ A group campsite is available by Special Use License. ~~, call (561) 924-5310 for information.~~
- (m) Camping is not allowed at the Governor's House.

~~(14) Strazzulla Marsh Management Area located in Palm Beach County~~
~~(a) Public use of the management area is governed primarily by Regulations of the United States Fish and Wildlife Service.~~

~~(b) The District's Public Use Rules are supplemental to Regulations of the United States Fish and Wildlife Service.~~

~~(15) Terrytown Management Area located in Palm Beach County~~

~~(a) Public use of the management area is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.~~

~~(b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.~~

~~(15)~~(16) Everglades Buffer Strip Management Area located Broward County

- (a) Persons may enter the management area on foot from U.S. Highway 27 or along the existing FP&L access road at the north end of the area.
- (b) Overnight camping is prohibited.
- (c) Hunting is prohibited.

- (d) Motorized vehicles are prohibited.
- (e) Airboating is prohibited.
- (f) Horseback riding is prohibited.

~~(16)~~~~(17)~~ Southern Glades Management Area located in Dade County

- (a) Public use of the management area is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.
- (b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.

~~(17)~~~~(18)~~ Crew Marsh Management Area located in Lee and Collier Counties

- (a) Public use of the management area is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.
- (b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.
- (c) Persons may enter and exit the management area each day between sunrise and sunset from any established trailhead off State Road 850 (Corkscrew Road).

(d) Overnight camping is permitted at the designated primitive campsite when in the possession of a Special Use License from the District (See 40E-7.534) or as authorized by Florida Fish and Wildlife Conservation Commission. A quota of twenty (20) persons per night has been established by the District for use of the designated campsites. A copy of the special use license must be displayed in a readily visible location within the licensee's vehicle while parked on the management area.

- (e) Airboating is prohibited.
- (f) The use or possession of saddle animals is restricted to designated equestrian trails.
- (g) Boating, other than kayaking and canoeing, is prohibited.
- (h) Dogs must be on a leash and under control of the owner at all times.

- (i) ~~The use or possession of a bicycle is~~ ~~Bicycles are~~ prohibited.
- (j) Hunting is restricted to hunting periods authorized by the Florida Fish and Wildlife Conservation Commission.

~~(18)~~~~(19)~~ Bird Rookery Swamp Management Area located in Collier County

- (a) Public use of the management area is governed primarily by Regulations of the Florida Fish and Wildlife Conservation Commission.
- (b) The District's Public Use Rules are supplemental to Regulations of the Florida Fish and Wildlife Conservation Commission.
- (c) Persons may enter the management area on foot at the west end of NW 43 Avenue, Collier County.

- (d) Airboating is prohibited.
- (e) Boating, other than kayaking and canoeing, is prohibited.

~~(19)~~~~(20)~~ Okaloacoochee Slough Management Area located in Hendry County

- (a) Public use of the management area is governed primarily by Regulations of the Florida Division of Forestry.
- (b) The District's Public Use Rules are supplemental to Regulations of the Florida Division of Forestry.

~~(20)~~ ~~(21)~~ Six Mile Cypress Management Area located in Lee County

(a) Public use of the management area is governed primarily by Regulations of the Lee County Parks and Recreation Department and Lee County Ordinance.

(b) The District's Public Use Rules are supplemental to Regulations of the Lee County Parks and Recreation Department and Lee County Ordinance.

~~(21)~~(22) Nicodemus Slough Management Area located in Glades County

(a) Persons may enter the management area each day between sunrise and sunset; nighttime activities other than those specified in Special Provision 23(c) below are prohibited.

(b) Overnight camping is prohibited.

(c) Airboating and frogging are permitted on the management area. Airboaters operating on the management area must be in possession of a Special Use License. A quota of five airboats per day has been established by the District. A copy of the Special Use License must be displayed in a readily visible location within the licensee's vehicle while parked on the management area.

(d) Hunting is prohibited.

(e) The use or possession of a saddle animal ~~Horseback riding~~ is prohibited.

(f) The use of motorized vehicles is restricted to the designated access site.

Specific Authority 373.044, 373.113 F.S. Law Implemented 373.016, ~~373.139~~, 373.1391, 373.59 F.S. History--New--1-01-01, Amended.

40E-7.539 Penalties.

(1) Pursuant to Section 373.609, F.AS., it shall be the duty of every state and county attorney, sheriff, police officer, and the appropriate city and county official to assist the District, and their agents, in the enforcement of the provisions of this rule.

(2) Any person who violates any provision of this rule is subject to eviction from the premises and/or arrest and prosecution for a second-degree ~~second-degree~~ misdemeanor, punishable as provided in Section 775.082, or Section 775.083, F.S.

(3) The penalties identified in these rules do not supersede other penalties or options available to District such as civil remedies.

Specific Authority 373.044, 373.113 F.S. Law Implemented 373.016, 373.129, 373.1391, 373.59, 373.609, 373.613, F.S. History--New 5-24-94. Amended 9-10-98 Amended.

































